

## REMARKS

This application has been reviewed in light of the Office Action dated September 30, 2004. Claims 1-3, 5-12, 14-20, 22-29, 31-37, 39-46 and 48-60 are presented for examination, of which Claims 1, 10, 18, 27, 35, 44 and 58-60 are in independent form. Claim 60 has been added to provide Applicants with a more complete scope of protection. Claims 1, 10 and 27 have been amended to define Applicant's invention more clearly. Favorable reconsideration is requested.

In the outstanding Office Action, Claims 1-3, 5-12, 14-20, 22-29, 31-37, 39-46 and 48-59 were rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent 5,761,655 (Hoffman). After careful study of the prior art and the Office Action, however, Applicants find themselves unable to agree with the rejection, for at least the following reasons.

The aspects of the present invention set forth in the present independent claims are an image-managing apparatus (and related method and storage medium) that retrieves images desired by the user based on (i) object-specific, categorized keywords contained in each image and (ii) supplementary information associated with each image. For example, independent Claim 1 is directed to an image managing apparatus for managing retrievable images that comprises image storage means for storing a plurality of images, and selecting means for selecting a single image from the plurality of images. Also provided are input means for inputting relevant

information concerning a plurality of objects within the single image, where the relevant information includes a word describing a state that interrelates at least one object within the single image with at least one other object within the single image. Memory means are provided for storing the relevant information inputted by the input means in association with the single image.

In contrast, *Hoffman* relates to an image-managing apparatus that retrieves images based on a match of general keywords (col. 11, lines 15-19). Some of these keywords may be associated with a “must-match” function, in which case the appearance of the keyword in association with the image is necessary for the apparatus to retrieve the image (col. 11, lines 20-23). *Hoffman* also provides a “super-keyword” function in which an often-used set of qualification criteria can be remembered and assigned a name (col.13, line 58, to col. 14, line 20).

Regarding Claim 1, the Office Action mistakenly assumes that “relevant information” in the claim equates to “pixel data” as used in *Hoffman*. In *Hoffman*, the phrase “pixel data” refers to pixel values used in converting original images to thumbnail images. Applicants’ Claim 1 uses the phrase “relevant information” as encompassing words describing a relationship between at least two objects within the desired image. Even if “relevant information” is construed as broadly as possible, *Hoffman* fails to teach or suggest information

that includes an interrelationship between objects within an image. For at least that reason, Claim 1 is believed to be clearly allowable over *Hoffman*.

Each of the other independent claims, including newly added Claim 60, is also believed allowable over that patent for at least the reasons discussed above with regard to Claim 1.

A review of the other art of record has failed to reveal anything which, in Applicants' opinion, would remedy the deficiencies of the art discussed above, as a reference against the independent claims herein. Those claims are therefore believed patentable over the art of record.

The other claims in this application depend from one or another of the independent claims discussed above and, therefore, are submitted to be patentable for at least the same reasons. Since each dependent claim is also deemed to define an additional aspect of the invention, individual reconsideration of the patentability of each claim on its own merits is respectfully requested.

For example, with regard to Claims 6, 23, and 40, the Office Action appears to have misconstrued *Hoffman* as suggesting that “must match” keywords are equivalent to the “position designating means” recited by Applicants. *Hoffman*’s must match keyword feature permits that apparatus to retrieve only those images that are associated with certain general

keywords (“must match keywords”) designated by the user. *Hoffman* does not describe a means of limiting the keywords to certain descriptive categories. In contrast, Applicants’ “position designating means” enables retrieval to be limited to those images that are associated with a categorized keyword describing the location of the object within an image. (This important point is relevant to a large part of the analysis in the Office Action, such as sections 10, 12-14 and 17-19.)

In view of the foregoing amendments and remarks, Applicants respectfully request favorable reconsideration and early passage to issue of the present application.

Applicants' undersigned attorney may be reached in our New York Office by telephone at (212) 218-2100. All correspondence should continue to be directed to our address listed below.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Leonard P. Diana", written over a horizontal line.

Leonard P. Diana  
Attorney for Applicants  
Registration No. 29,296

FITZPATRICK, CELLA, HARPER & SCINTO  
30 Rockefeller Plaza  
New York, New York 10112-3801  
Facsimile: (212) 218-2200

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